Case 16-31373-MBK Doc 34 Filed 04/06/17 Entered 04/06/17 16:31:44 Desc Main

Document Page 1 of 3

UNITED STATES BANKRUPTCY COURT District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888

In re:

Theron Cromer Mechela N. Bailey

Debtor(s)

Sept. Of Asset

Order Filed on April 6, 2017 by Clerk U.S. Bankruptcy Court District of New Jersey

Case No.: 16-31373 / MBK

Hearing Date: 03/21/2017

Judge: Michael B. Kaplan

Chapter: 13

## **ORDER CONFIRMING CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: April 6, 2017** 

Honorable Michael B. Kaplan United States Bankruptcy Judge Case 16-31373-MBK Doc 34 Filed 04/06/17 Entered 04/06/17 16:31:44 Desc Mair Document Page 2 of 3

The plan of the debtor having been proposed to creditors, and a hearing having been held on the

confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have

been complied with; and for good cause shown, it is

**ORDERED** that the plan of the above named debtor, dated 11/08/2016, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 36 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$500.00 for 36 months beginning 12/1/2017

**ORDERED** that the case is confirmed with a calculated plan funding of \$18,000.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

Case 16-31373-MBK Doc 34 Filed 04/06/17 Entered 04/06/17 16:31:44 Desc Main Document Page 3 of 3

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is <u>not authorized</u> to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that the debtor(s) must obtain a loan modification by 5/31/2017 or as extended by Loss Mitigation Order.

• Creditor Wells Fargo Bank, NA, PACER claim #5-1, will be paid outside of the Chapter 13 Plan.

## **ORDERED** as follows:

Select Portfolio Servicing, PACER Claim #10-1, will be paid outside of the Chapter 13 Plan; creditor is free to seek stay relief.